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C O N F I D E N T I A L SECTION 01 OF 02 SUVA 000359

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TAGS: [PGOV](#) [PREL](#) [MARR](#) [ASEC](#) [FJ](#)

SUBJECT: FIJI UPDATE, JULY 19, 2007: INTERIM GOVERNMENT
RELENTS ON TRAVEL BANS; FATIAKI TRIBUNAL DELAYED; ANOTHER
BLOW AGAINST HUMAN RIGHTS; FICAC FLEXES MUSCLES

REF: SUVA 354

Classified By: DCM Ted Mann, per 1.4 (B,D)

Summary

1. (SBU) After two days of bad press, the interim government removed travel bans it had placed on prominent IG critics Graham Leung and Shamima Ali. President Iloilo "rejected" names put forward to sit on a tribunal to look at IG allegations against suspended Chief Justice Fatiaki and gave the IG 60 more days to come up with new names. The Fiji Law Society called the move a delaying tactic and asked for the immediate reinstatement of Fatiaki. In a move that may be related to the Fatiaki case, the IG announced it was removing the CEO of the Fiji Islands Revenue and Customs Authority (FIRCA) for his refusal to cooperate with the Fiji Independent Commission Against Corruption (FICAC). Television news reported that the CEO had refused to turn over Fatiaki's tax files. The IG is preparing for a possible strike by nurses next week. End summary.

Travel Bans Imposed, Then Relaxed

2. (SBU) Prominent IG critics Graham Leung and Shamima Ali were stopped from leaving Fiji on July 15 and 16, respectively. Both protested very publicly to the media. Leung was well aware he was subject to a travel ban and brought supporters to the airport to protest the expected refusal of Fiji Immigration to let him depart. He told reporters his treatment "is shocking and demonstrates that if you speak up for justice your will get penalized." Ali said she had no idea she was any travel ban list. According to Ali, Immigration officials showed her a letter they only received a few hours before her planned departure adding her name to the list. Reportedly, the letter came from the Permanent Secretary of the Prime Minister's Office, Parmesh Chand. Chand publicly denied writing any such letter. Both Leung and Ali said they would seek to have their travel ban's overturned through the courts.

3. (SBU) Interim PM Bainimarama added fuel to the fire the morning of July 17 by blasting Leung, saying Leung's trip to the airport was a "publicity stunt", and that he had been misleading international audiences about the real situation in Fiji. Leung "can go to court if he wanted, or he could stowaway...He is not going anywhere."

4. (SBU) Perhaps stung by the bad press engendered by the travel bans, including a blistering editorial in the July 17 Fiji Times, the IG suddenly reversed course and revoked the bans late July 17. Leung and Ali both received phone calls from the Director of Immigration, followed by a faxed letter,

stating they were free to travel out of the country. Both Leung and Ali said they intend to continue pursuing the matter in the courts.

No Pressure for Shameem Appt: "I Swear to God"

15. (SBU) In a statement July 18, Constitutional Office Commission Chairman Rishi Ram said he is willing "to swear on the Bible, Koran, Gita, or any holy book" to prove there was no external pressure to appoint coup-supporter Shaista Shameem Ombudsman and Chair of the Fiji Human Rights Commission (FHRC). Ram's comments were made in response to criticism from former opposition leader Mick Beddoes, who said Shameem's appointment to a position that demands impartiality and objectivity was clearly inappropriate. FHRC Commissioner Shamima Ali said she did not recognize Shameem's appointment and called it unconstitutional. Beddoes said he expected Shameem to remove Ali from her position at the FHRC, thus removing the Commission's last strands of credibility.

Fatiaki Tribunal Delayed

6 (SBU) In what was clearly a delaying tactic, interim AG Aiyez-Khaiyum reported that President Iloilo had "rejected" the names put forward for the tribunal to review allegations against suspended Chief Justice Fatiaki. The President gave the IG 60 days to come up with more suitable names. None of the names purportedly presented to Iloilo were released. The Fiji Law Society immediately called for Fatiaki's reinstatement, saying that the IG clearly had no basis to suspend the CG in the first place.

FICAC Turns the Heat Up on FIRCA

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17. (C) In an action that may be related to the IG's attempt to dig up dirt on Fatiaki, the Acting Minister of Finance announced July 16 that the interim cabinet had decided to ask Tevita Banuva, the CEO of the Fiji Islands Revenue and Customs Authority (FIRCA), to resign, citing "non-cooperation" with the Fiji Independent Commission Against Corruption (FICAC). Earlier that day Banuva had told the Australian High Commissioner that he "was under great pressure" from FICAC, but that he was carrying out his job in accord with the relevant statutes governing FIRCA. The July 17 Fiji One television news reported that the interim cabinet's action against Banuva stemmed from his refusal to turn over the tax documents of suspended CJ Fatiaki. In the same news broadcast, new FICAC head (and military officer) George Langman told a reporter that if an organization didn't cooperate with FICAC, FICAC would naturally turn its attention to that organization. In response to a question about legislation governing the release of FIRCA records, Langman said the FICAC legislation superseded other laws and regulations. FICAC personnel entered FIRCA Headquarters July 16. According to some news reports, tax records were removed under a court order. Other reports said FICAC did not find what it was looking for.

18. (U) As of July 19, Banuva is on leave, but remains FIRCA CEO. FIRCA Board Chairman Filipe Bole said FIRCA is waiting for a written directive from the interim Finance Minister. The FIRCA staff association is standing behind Banuva, and has called his proposed removal "ridiculous."

IG Prepares for Possible Strikes

19. (U) The new Police Commissioner, Commodore Teleni, briefed the interim cabinet July 18 on contingency plans in case of a strike by nurses July 23 and by other unions August 12. Non-union and student nurses will be used as staff in the Labasa, Lautoka and Suva hospitals. The IG also announced that civil servants not at work for more than seven days without prior approval would be liable for termination.

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